

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Qwest Communications)	WC Docket No. 03-90
International Inc.)	
)	
Application for Authority to Provide)	
In-Region, InterLATA Services in)	
Minnesota)	

COMMENTS OF COMMUNICATIONS WORKERS OF AMERICA

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I. Introduction

The Communications Workers of America (CWA) submits these comments in support of Qwest's application for authority under Section 271 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, Pub. L. No. 104-104, § 151(a), 110 Stat. 89 ("1996 Act" or "Act") to provide in-region, interLATA service in Minnesota. Qwest's application for Minnesota reflects and builds on Qwest's concerted and systematic efforts to bring the benefits of competition to all consumers in its region. The Commission has recognized and validated those efforts by granting Qwest's application for in-region, interLATA authority in 12 of the 14 states in Qwest's service territory. *See Memorandum Opinion and Order* in WC Docket No. 02-314 (Dec. 23, 2002) ("*Qwest Nine-State 271 Order*"); *See Memorandum Opinion and Order* in WC Docket No. 03-11 (April 15, 2003) ("*Qwest Three-State 271 Order*"). Further, Qwest's proposed performance assurance plan in Minnesota subjects Qwest to aggregate potential penalties of \$100 million annually – a plan that is virtually identical in form and substance to those in other states previously endorsed by the Commission.

Qwest's entry into the long distance market in Minnesota is in the public interest. First, it will increase competition in the long-distance market, particularly for residential consumers. Based on the experience of consumers after Bell Operating Company's (BOC) entry into the long-distance market in other states, Qwest's entry into the long-distance market

in Minnesota will lead to lower prices and new service offerings. Second, Qwest's entry into the long distance market in these states will promote the creation of good, high-wage jobs in the telecommunications industry.

CWA is in a unique position to comment on Qwest's long distance application in Minnesota. CWA represents approximately 5,000 employees at Qwest in Minnesota.¹ CWA also represents approximately 2,000 employees at AT&T, primarily in its long-distance operations, but also in some local service and other operations. Because CWA represents employees in all segments of the telecommunications industry, CWA must base its position regarding an application by a BOC to provide long-distance service on the factual evidence regarding Section 271 compliance in that state as well as on the public interest merits of the application. CWA, Minnesota State Council, filed comments in the Minnesota state 271 proceeding supporting Qwest's application and a copy is attached.

Based on the evidence, it is clear Qwest has satisfied the market opening requirements of Section 271 in Minnesota and that the public interest will be served by its entry into long-distance. Therefore, CWA supports Commission approval of Qwest's application in this proceeding.

II. Qwest Has Met the Market Opening Requirements of Section 271

CWA concurs with the conclusion of the Commission in the Qwest Nine-State 271 Order and the Qwest Three-State 271 Order that Qwest has

met the requirements of Section 271 of the Act. This includes the requirement to open its local network to competition. In Minnesota, competitors serve at least 25 percent of the local market which is corroborating evidence that the local market is open to competition. Furthermore, the same OSS test that the Commission has reviewed and found acceptable in the twelve Qwest states that have already been approved is equally applicable to Minnesota. While CWA supports on-going regulatory efforts to ensure that Qwest provides high-quality service in both its retail and wholesale operations, in the context of this Section 271 application the record is clear that Qwest is providing service at or above parity with its retail operations, and therefore is in compliance with the competitive checklist. CWA members have worked hard to implement the market-opening requirements of the Act and to deliver high quality performance to customers.

III. Qwest Entry into the Long-Distance Market is in the Public Interest

Qwest has met the requirements of the Act to open its local market in Minnesota to competition. The Commission need not fear backsliding by Qwest. In Minnesota, Qwest has a performance assurance plan that subjects Qwest to aggregate potential penalties of \$100 million annually if Qwest fails to meet the rigorous performance standards. This plan is virtually identical

¹ CWA Membership Report, May 2002. Nationally, CWA represents more than 730,000 employees who work in telecommunications and other public and private sector organizations. CWA represents 32,000 Qwest employees across the nation.

in form and substance to those in other Qwest states previously endorsed by the Commission. Qwest's entry into the long-distance market in Minnesota is clearly in the public interest. The experience in other states in which the Commission has granted Section 271 authority demonstrates that consumers, particularly residential consumers, benefit from BOC entry into the concentrated long-distance market.

In the twelve states in which Qwest has been granted 271 authority, Qwest offers customers low per-minute charges with no monthly minimum or monthly recurring charge, all on a single bill. This puts pressure on AT&T, MCI WorldCom, Sprint and other providers to offer discounts on their long-distance plans to customers who signed up for local service.

In addition, Qwest's entry into the long-distance market in Minnesota is in the public interest because it will stimulate the growth of high-skilled, good jobs. Qwest's entry into the long-distance market in Minnesota will add more high-wage, high-skilled customer service and operator service jobs in local communities in the Qwest region.

IV. Conclusion

The Commission should approve Qwest's application to provide in-region, interLATA service in Minnesota. Qwest has demonstrated that it has met Section 271's market-opening requirements in Minnesota. Qwest's entry into the long-distance market in Minnesota will benefit consumers with greater choice, lower prices, and new service offerings. Finally, Qwest's entry

into long-distance in these states will stimulate the growth of high-skilled,
good jobs.

Respectfully Submitted,

Communications Workers of America

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Dated April 17, 2003